



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **R. Riman and J. Ballato**

Application No.: **10/791,953**

Examiner: **C.M. Koslow**

Filed: **March 2, 2004**

Group Art Unit: **2828**

For: **RARE EARTH DOPED LANTHANIDE NANOPARTICLES**

Attorney Docket No.: **P22,557 – A USA**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 19, 2006.

Dated: January 19, 2006


Sarah Klosek

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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TERMINAL DISCLAIMER

Sir:

The owner, Rutgers, The State University, Old Queens, Somerset Street, New Brunswick, New Jersey 08903, of the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior **Patent No. 6,699,406**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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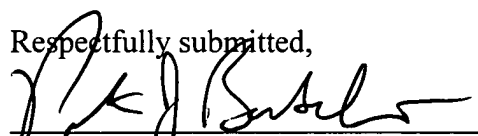
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

A Credit Card Authorization for the Terminal Disclaimer fee of \$130 under 37 C.F.R. §1.20(d) is enclosed. The Examiner is authorized to charge any additional fees to Applicants' Deposit Account No. 19-5425 therefor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: January 19, 2006

Respectfully submitted,


Peter J. Butch III (Reg. No. 32,203)

SYNNESTVEDT & LECHNER LLP
2600 ARAMARK Tower
1101 Market Street
Philadelphia, PA 19107-2950
Telephone: 215-923-4466